

Gerri Hernandez Geiler (0042081)  
Sr. Assistant City Solicitor

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U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION CINCINNATI

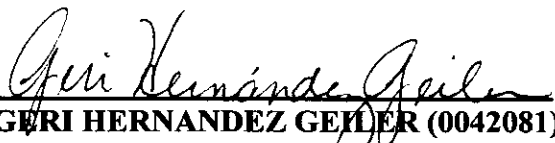
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

JANIE SAMUEL, et al. : CASE NO. 1:02cv378  
Plaintiff, : District Judge Michael H. Watson  
vs. :  
STEVEN M. HOOG, et al., : NOTICE OF APPEAL  
Defendants. :

Notice is given that Defendants Steven M. Hoog and Michael A. Lotz appeal to the United States Court of Appeals for the Sixth Circuit from the Opinion and Order of the United States District Court for the Southern District of Ohio Denying Defendants' Motion to Dismiss First Amended Complaint, Granting Plaintiffs' Motion to Strike and Denying Defendants' Motion to Stay Discovery entered in this case on March 14, 2005 (Docket No. 37) and attached to this Notice.

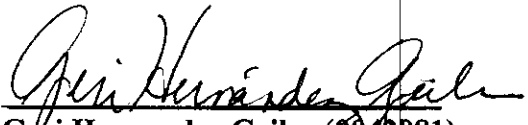
Respectfully submitted,

JULIA L. McNEIL (0043535)  
City Solicitor

  
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**CERTIFICATE OF SERVICE**

I hereby certify that on April 11, 2005, I filed the foregoing with the Clerk of the Court and I hereby certify that I have mailed by United States Postal Service the document to the following counsel of record: Barbara Bison Jacobson, Counsel for Plaintiffs, at Vorys, Sater, Seymour & Pease, P.O. Box 0236, 221 East Fourth Street, Suite 2100, Cincinnati, Ohio 45201-0236.

  
**Geri Hernandez Geiler (0042081)**  
Sr. Assistant City Solicitor